

REMARKS

The Official Action of August 12, 2005, and the prior art cited and relied upon therein have been carefully studied. The claims in the application are now claims 2-9 and 11-19, and these claims define patentable subject matter warranting their allowance. Favorable reconsideration and such allowance are respectfully urged.

Claim 1 has been canceled in favor of new independent claim 11, and claim 10 has been canceled as being directed to a non-elected invention. Claims 2-9 and 11-19, directed to Applicant's elected invention, remain in the application for consideration.

In response to the Examiner's objection to the abstract and disclosure, Applicant has:

(a) enclosed a new substitute abstract for the abstract originally submitted conforming to the Examiner's identified format, and

(b) amended the disclosure as required by the Examiner.

Applicant respectfully submits that the Examiner's objections have now been overcome.

In response to the Examiner's rejection of claims 1-9 under 35 U.S.C. §112, second paragraph, Applicant has

amended the claims substantially as recommended by the Examiner, for which Applicant thanks the Examiner.

The Examiner has further rejected claims 1, 3-4 and 8-9 under 35 U.S.C. §103(a) as being unpatentable over Colley '586. Applicant respectfully traverses this rejection as applied to new independent claim 11 as discussed below.

The Examiner, however, has made no prior art rejection against claims 2 and 5-7. Indeed, Colley clearly does not teach the groove or recess feature set out in claim 2. Accordingly, Applicant submits that claim 2, as amended, is clearly allowable as it now overcomes the Examiner's 35 U.S.C. §112 rejection as indicated above. Given the allowability of claim 2, Applicant has added its features to independent claim 11 as new independent claim 12 and has further added new dependent claims 13-19 corresponding to dependent claims 3-9. Applicant respectfully submits that absent a prior art rejection, claims 12-19 are now allowable. If the failure to reject claims 2 and 5-7 on the basis of prior art was an oversight on the part of the Examiner, Applicant submits that any subsequent rejection of these claims should be done in a non-final Office Action.

With regard to the rejection of claims 1, 3-4 and 8-9, Applicant notes that Colley teaches a method for manufacturing a board for gliding over snow, in which a

decorative and protective exterior assembly is placed on the top surface of the board. The technical feature of the presence of a decorative and protective exterior assembly is not fully described. Thus, Colley (see Fig. 5) does not mention the presence of such an exterior assembly.

Contrary to the assertion of the Examiner, the additional piece or pieces (55) are not engaged on the outer surface of the exterior assembly. Such pieces (55) are completely embedded into the structure of the board. Consequently, such pieces (55) cannot project from the inner surface of the exterior assembly and cannot pass through openings previously provided in the exterior assembly, contrary to the claimed invention.

One skilled in the art of this invention with the teaching of Colley would not use an exterior assembly and engage on the upper surface of such exterior assembly one or more pieces. Moreover, the use of such pieces that pass through the opening and that comprises through-fixing zones is not taught by Colley.

Accordingly, Applicant respectfully submits that the claimed invention patentably defines over Colley. First, there is no suggestion for modifying the top surface of the board with additional pieces and for modifying the process of manufacturing a board with such pieces. Second, there is no

suggestion in Colley for additional pieces with through-fixing zones that goes through the decorative and protective exterior assembly and that penetrate into the inner structure of the board.

Acknowledgement by the PTO of the receipt of applicants' papers filed under Section 119 is noted.

The prior art documents made of record and not relied upon have been noted along with the implication that such documents are deemed by the PTO to be insufficiently pertinent to warrant their applications against any of applicant's claims.

Favorable reconsideration and allowance are earnestly solicited.

Respectfully submitted,

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Appln. No. 10/814.171  
Amdt. dated November 14, 2005  
Reply to Office Action of August 12, 2005

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